

**End of Year Report
On Wisconsin
Department of Natural Resources'
s. 128(a) Grant Accomplishments**



Covering Time Periods:
March 1, 2004 – August 31, 2004
&
September 1, 2003 – August 31, 2004

Introduction

The State of Wisconsin was awarded EPA, section 128(a) funds, beginning September 1, 2003, to assist in the development and enhancement of its state response program. This federal grant is used to support the federal and state programs under the jurisdiction of the WDNR's Remediation and Redevelopment program, including:

- High-priority leaking underground storage tanks (LUST),
- RCRA hazardous waste closures and corrective actions,
- State enforcement, and
- Voluntary cleanup actions under the state's comprehensive Spill Law.

The following report summarizes how the WDNR has effectively used the s. 128(a) grant money to enhance the state response programs and public records requirements.

Grant Financial Status Reports (FSRs) and data on time charged to the grant indicate that Wisconsin DNR more than fully earned its Section 128(a) State Response Program grant. For September 1, 2003 through June 26, 2004 (the first ten months of the grant's budget period) staff and managers from the RR program were conducting Section 128(a) grant eligible activities at an annual rate of over 21 FTE (permanent staff and LTES), even though the grant was written to fund 17 FTE. FSRs indicate Wisconsin DNR had earned \$1,235,445 in Section 128(a) grant eligible costs by June 26, 2004, for the first 10 months of the budget period, which is more than the entire grant of \$1,196,243 for the 12 months ending August 31, 2004. At this rate of earning, Wisconsin DNR likely incurred grant eligible costs of about \$1.5 million by the time the budget period ended on August 31, 2004.

This report includes information on the following:

1. Accomplishments Overview
2. Public Record Requirement
3. Timely Inventory and Survey
4. Oversight and Enforcement Activities
5. Mechanisms and Resources for Public Participation
6. Mechanisms for Approval of Cleanup Plans, Verification and Certification
7. Deliverables and products created over the time period:
 - ◆ Summary of Brownfields Outreach Accomplishments
 - ◆ Recommended Changes to Wisconsin Statutes by the Brownfields Study Group
 - ◆ Barron & Polk Counties Landfill Inventory (CD-ROM)
 - ◆ Compendium of publications developed
 - ◆ A series of press releases regarding the RR Program

Accomplishments

WDNR's Remediation and Redevelopment Program: Helping restore the environmental and economic health of Wisconsin communities.

Regulatory Reforms and Brownfields Innovations

- **Site Assessment Grant Rule Revisions** - the DNR improved the program by implementing several changes to the program's administrative rules (ch. NR 168, Wis. Adm. Code). These changes, were approved in May 2004 and will take effect in October 2004, provide administrative flexibility to the local governments who receive grants and modify the scoring system to put greater weight on environmental and community factors, and less emphasis on financial contribution of the applicant.
- **2 Brownfield Laws enacted** -
 - Act 314 authorizes DNR to enter into an agreement with EPA to create and administer a brownfields revolving loan fund (RLF) program that would distribute grants and loans to local governments.
 - Act 315 gives the state authority to contract with an insurance provider to set up an optional insurance program for environmental cleanups.
 - ✓ DNR has created a proposed, insurance program design, which was submitted to the nation's leading environmental insurance companies. Four major firms submitted quality proposals to offer environmental liability insurance for Brownfields, which have received specific technical approvals from the WDNR. The program is expected to be in place by January 2005.



New Dry Cleaner Law

On April 22, 2004, Governor Doyle signed into law SB 324, which contains important changes for the Dry Cleaner Environmental Response fund.

Economics of Brownfields Redevelopment

- In June 2004, the Wisconsin Brownfields Coalition, which includes the RR Program received a \$4 million EPA brownfields grant to create a state revolving loan, called the "Ready for Reuse" initiative.
- The RR Program awarded \$1.7 Million in DNR Brownfields Site Assessment Grants.



DNR Brownfield Site Assessment Grant 1999-2004

The following information summarizes the successes of the first five rounds of the SAG program, from 1999-2004.

Total Requests: 374 applications received, requesting \$14.7 million

Total Awards: 212 grants funded, awarding \$6.56 million

Grant Basics

- Two grant sizes – small & large
- Small – \$30,000 or less
- Large – \$30,001 up to \$100,000



Rural & Urban Benefits

- Largest Community – City of Milwaukee (population 596,974)
- Smallest Community – Town of Ojibwa (population 267)

Grant Activities

- 72 Phase I environmental site assessments
- 119 Phase II environmental site assessments
- 149 site investigations
- 261 structures and buildings demolished
- 197 underground storage tanks removed



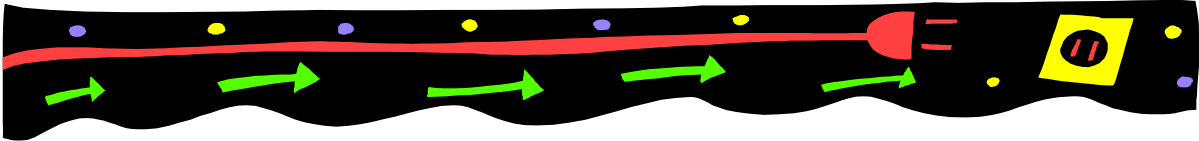
Requests & Grants

- 279 small applications received, requesting \$6.9 million
- 188 small grants funded, awarding \$4.6 million
- 95 large applications received, requesting \$7.8 million
- 24 large grants funded, awarding \$1.96 million



DNR Delivers

- 11 months – time from SAG program creation until first money awarded
- 103 – # of different communities that have received grants
- 742 – # of acres of Wisconsin land benefiting from SAG Grants



<h2 style="text-align: center;">Public Record Requirement</h2>	<p>Highlights:</p> <ul style="list-style-type: none"> ◆ 30,886 web hits to the WDNR site & property web databases ◆ 524 clean ups approved by WDNR in this grant year
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Introduction

The WDNR has one of the nation's most comprehensive web pages, <http://dnr.wi.gov/org/aw/rr/>, with site-specific and general program information available to the public. It includes two site-specific, on-line databases. The first database is our public record of all the known hazardous substance spills sites that have been reported to the state. Information contained on each property includes: (1) name of RP; (2) address; (3) type of contamination; (4) listing of major cleanup milestones; and (5) other relevant site data. The WDNR has used the s. 128(a) funds to continue to support our web staff to ensure that our site-specific and program information is updated on a regular basis. In addition, the WDNR is upgrading it's web-based public record using these funds, especially in the area of tracking institutional controls at all cleanups and which properties have Superfund implications.



Brownfield Sites in Wisconsin

- ◆ Estimated 10,000 abandoned underused properties
- ◆ 7,252 known contamination sites:
 - 3,290 Leaking Underground Storage Tank Sites
 - 2,557 Non-Petroleum Sites

Web Database Enhancements under Development

- Ability to clearly identify institutional controls at sites
- Ability to identify sites as PA/SI, NPL or Superfund Removal

To date, our efforts to enhance the Bureau of Remediation and Redevelopment's Tracking System (BRRTS) has been delayed due to necessary "platform" upgrades to BRRTS. The WDNR is moving BRRTS to a more stable platform, on advanced servers that will improve public access. The upgraded platform involves reprogramming to a Java format. This time consuming effort was

expected to be completed by July 1, 2004, but has been hampered by numerous factors including IT network changes that required BRRTS adaptations. These adaptations have been completed in order to ensure public access during the new server implementation.

With respect to the institutional control enhancements, WDNR already tracks and identifies which cleanups have institutional controls (ICs). The prototype has been completed for a more user-friendly system to not only identify which sites have ICs, but to generate additional data, such as total ICs and types of ICs. The "new BRRTS" and web-based interface (BOTW) is expected to be fully deployed by the end of the calendar year.

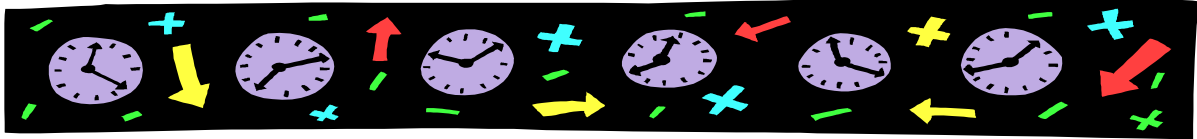
Another item WDNR committed to was updating our BRRTS database to ensure that properties where federal actions have been taken were tracked. We have completed the necessary programming to allow for specific tracking of the following activities:

- Preliminary Assessments (PA's)
- Site Inspections (SI's)
- Preliminary Assessments/Site Inspections (PA/SI's)
- Expanded Site Inspections (ESI's)
- Use of Other Cleanup Authority (OCA's)
- No Further Remedial Actions Planned (NFRAP), and
- EPA Removal Actions

We began entering data this summer, have completed entry of all NPL sites, Preliminary Assessments (PA's), Site Inspections (SI's), Preliminary Assessments/Site Inspections (PA/SI's) and Expanded Site Inspections (ESI's) and hope to have all of the other information in the database by September 30, 2004.

Table: Public Record Requirements

	1st Half Numbers	2nd Half Numbers	Year-End Numbers
# of web hits to site/property databases	17,592	13,294	30,886
# active sites in database	6,000	-	5,847
♦ ERP	2,585	-	2,557
♦ LUST	3,415	-	3,290
♦ VPLE	132	-	139
# clean ups approved by WDNR in FY04	265	259	524



<h2 style="text-align: center;">Timely Inventory and Survey</h2>	<p>Highlights:</p> <ul style="list-style-type: none"> ◆ 234 new properties discovered in the past 6 months ◆ 5,650 sites geo-located in grant year
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Introduction

The WDNR is using a portion of its s. 128(a) funds to establish an initiative to survey and inventory the universe of contaminated sites in the state. In particular, the s. 128(a) funds are being used to:

- ◆ Continue WDNR's efforts to evaluate its historic list of disposal sites, including streamlining the evaluation process and putting the sites with documented hazardous substance discharges on BRRTS;
- ◆ Develop a more proactive approach to discovering brownfield properties; and
- ◆ Support staff who coordinate the efforts of our part-time state-funded employees who geo-locate contaminated properties.

The following narrative and data are a summary of WDNR's efforts to date.

1. Evaluation/Screening of Historic Disposal Sites



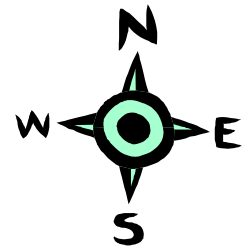
The WDNR is conducting a timely survey and inventory of properties listed on the WDNR's historic "Registry of Waste Disposal Sites." This document is a comprehensive listing of over 4,000 sites where solid or hazardous wastes have been or may have been deposited. The end product of this effort will be to assist the public in making informed land use decisions, such as those involving property transactions and private and public well location choices. The data will ultimately be put on the Program's web site in a search-able and interactive format. In addition, for those properties where there has been a discharge of a hazardous substance, those sites will be added to BRRTS (our web-accessible database of properties). A new BRRTS code was added to identify which existing sites in BRRTS have been evaluated using this process. This effort is analogous to EPA's effort to reassess CERCLIS, actively evaluating or archiving the sites.

Prior to this year, WDNR has been pre-screening sites on the Registry, using Superfund Site Assessment dollars. The goal of this former effort was to

determine a site's potential for CERCLIS, and potentially the NPL. WDNR developed a 6-page, electronic form to capture the information needed to make the screening decision. With the advent of the s. 128(a) funding, WDNR has refocused this effort to meet the state's needs, which is to gather data to make informed land use decisions. Given this change in program purpose, it was clear that some of the information on the original form was not necessary or was not readily available. During the first 6 months of the reporting period, the worksheet was streamlined down to 4 pages to appropriately fit the new Waste Registry Screening process. Streamlining the form helped focus the effort on the most important factors to the save staff time and effort.

2. Pro-active Site Discovery Program

Below is a summary of activities completed since September 1, 2003 to explore the development of a Pro-active Site Discovery Program (i.e., looking beyond the known historical properties in our database).



- Reviewed grant with Region 5 and clarified the deliverables and expectations of this program;
- Contacted three States about their site discovery programs;
- Researched agency databases and programs for common links to site discovery;
- Developed general scope of program;
- Solicited ideas from regional staff as to types of sites to focus on;
- Synthesized suggestions from regional staff;
- Presented general ideas to five RR Program Teams (Site Assessment, Land Recycling, Outreach, Manufactured Gas Plant & Spills) and the Bureau of Cooperative Environmental Assistance;
- Revised internal guidance to be consistent with new program; and
- Developed a draft proposal that will be sent to the RR management team.

Since March 1, 2004, WDNR refined the draft proposal for implementing a Proactive Site Discovery Program and presented it to the RR Management Team in July, 2004. The proposal was approved with several minor modifications. As approved, WDNR's Proactive Site Discovery Program will consist of:

1. Continue utilizing our Site Assessment Grant and Green Space Grant Programs as a mechanism for communities to identify and notify the WDNR of contaminated properties. In addition, work cooperatively with communities to help them apply for EPA brownfields Site Assessment Grants and to ensure that newly discovered site are ultimately included in our tracking system.
2. Develop an outreach effort to the statewide dry cleaning industry and other groups, such as municipalities, strip mall owners and other business associations. The purpose of the outreach is to identify dry cleaners that may be eligible for the dry cleaner reimbursement program. We expect this effort

will identify new dry cleaner cases that will be included on our tracking system.

3. There are instances where contamination is discovered, but the source can not be immediately identified. We are in the process of developing a tracking system for these situations in order to help locate the sources. By creating a specific tracking effort, we anticipate being able to proactively identify additional contamination in the future.
4. We intend to continue implementing a process to evaluate groundwater-monitoring data for existing solid waste landfills. If these evaluations confirm a release, the site will be entered into our tracking system.

All of these proactively discovered sites will be entered into our statewide tracking database, which is on our web page and accessible to the public. While we will not be able to separate out the number of proactively discovered sites, we will continue to present the number of new contaminated properties discovered.

3. Coordination of geo-location efforts in the field

In addition, the WDNR is undertaking a long-term initiative to geo-locate all contaminated properties and historic disposal sites in the state. The state will provide this information to the public through its web site. EPA is funding the overall coordination of this effort, while the state is funding the staff who collect the property-specific data.

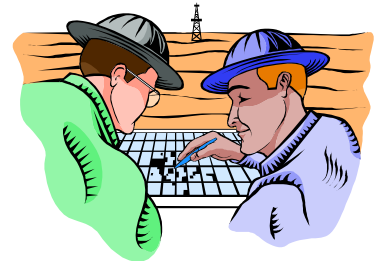
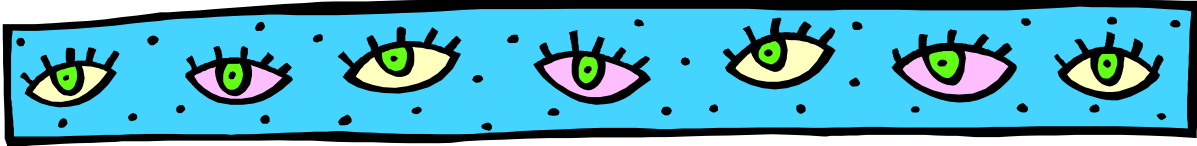


Table: Timely Inventory & Survey of Sites

	1 st Half Numbers	2 nd Half Numbers	Year-End Numbers
# of properties geo-located	3,867	1, 783	5,650
# of Registry properties screened	132	309	441
# of new properties discovered	251	234	485
# of staff hours per screen/geo-location	<ul style="list-style-type: none"> • 23 hrs per screen • .63 hrs per geo-location 	<ul style="list-style-type: none"> • 17.3 hrs per screen • .88 hrs per location 	-



<h2 style="text-align: center;">Oversight and Enforcement Activities</h2>	<p>Highlights:</p> <ul style="list-style-type: none"> ◆ Over 521 inactive sites "restarted" by WDNR, without taking formal enforcement action
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Introduction:

The WDNR is using a portion of its s. 128(a) funds to establish or enhance several oversight or enforcement activities in the state. In particular, the s. 128(a) funds are being used to:

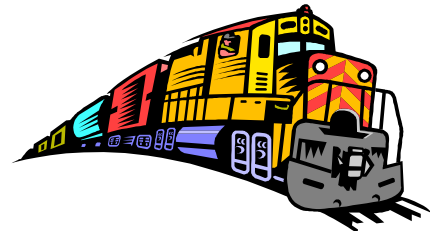
- ◆ Accelerate the number of active sites making progress in the WDNR cleanup pipeline;
- ◆ Create an institutional control audit function;
- ◆ Develop a One Clean-up Program memorandum of understanding;
- ◆ Implement other activities as specified below.

The following narrative and data summarize WDNR's efforts to date.

1. Pipeline Acceleration Initiative

The WDNR established an initiative to accelerate the number of cleanups at sites in WDNR's database. Over the next 5 years or more, the WDNR hopes to "encourage" approximately 2,250 sites to start or finish clean-up activities.

Sites which fall under this initiative are those that have not made documented progress within a specified period of time. We defined "no documented progress" as situations where an action code has not been entered into our electronic database known as BRRTS (Bureau for Remediation and Redevelopment Tracking System) in the last 2 years. An action code represents an activity taken by either the responsible party (i.e. Site Investigation Report submitted) or by WDNR (i.e. Remedial Action Plan approved). While the lack of an action code doesn't always signify that progress has stalled, it is typically a good indication that some follow-up action is necessary. WDNR has been specifically targeting those sites where an action code has not been entered for many years.



As of September 1, 2003 WDNR estimates there were approximately 2,250 sites that had not had an action code entered in our tracking system in the last 2 years or more. The following table shows the number of sites where an action code has not been entered since January 1st of the year listed. As the table illustrates,

steady progress has been made by WDNR to reduce the number of sites where no documented progress has been made for 2 years or more. Using 2002 as the baseline year, the number of sites in the "no progress for 2 or more years" category was reduced by 521 sites. Of the 521 sites, 139 were sites where no progress has been made for over 10 years.

Table: Pipeline Acceleration Data

YEAR OF LAST BRRTS ACTION	SITE PROGRESS STATUS - QUERIED ON THESE DATES:			
	OCT 2003	MARCH 2004	AUGUST 2004	SITES MOVING AGAIN
1986	118 sites	105	89	29
1990	184 sites	159	132	52
1994	444 sites	367	305	139
1998	817 sites	703	604	213
2002	2,250	2,023	1,729	521 Sites Restarted

In order to provide a more accurate method for tracking our progress, WDNR utilized a portion of its s. 128(a) funds to create a new BRRTS action code. This code was established in early January 2004, and data is now entered into our BRRTS system when we take an action to get the cleanup moving forward. Between September, 2003 and August 2004 we completed at least 450 "push actions" to get sites moving forward.

WDNR has also taken other actions over this time frame to address sites with no documented progress. One action was initiated in the summer of 2003, although a majority of the work took place since September 1, 2003. This was an effort to get sites that were conditionally closed (given a no further action decision) to do one of the following actions: (1) record a groundwater use restriction on the property; or (2) place the site on the web-based GIS Registry. We sent letters to approximately 100 sites informing them of their options. We have done several follow-up measures since that time, including phone calls and letters, and only have a few sites still needing action. We have discussed the status of the remaining sites with our Environmental Enforcement Program have requested that the Wisconsin Department of Justice take formal enforcement action on the remaining sites.

Table: Pipeline Acceleration Initiative

	1 st Half Numbers	2 nd Half Numbers	Year-End Numbers
# of Sites Targeted for acceleration/categories	133 "push actions"*	317	450

* Not a complete list. Code did not become active until January, 2005.

2. Limited Audit of Institutional Controls

A second initiative proposed by WDNR was to develop a process to audit sites closed with institutional controls (ICs). The purpose of the audit would be to evaluate the site for compliance with the conditions set at the time the no further action (i.e., closure) determination was made, to ensure those actions are effective.

The first step was to review similar efforts conducted in several other states. DNR initiated contacts with Indiana, Illinois, Minnesota, Ohio and New Jersey. In the fall of 2003, these discussions provided general guidance for how an audit program might be established. A number of internal discussions ensued to determine the best method for proceeding on the IC audit initiative. This information was then compiled into a draft compliance review form. This form was revised by the NR700 Implementation team and subsequently approved. A copy of the form that was completed for each institutional control audit is attached to this evaluation.



The WDNR's IC audit initiative consisted of a file review, a site owner interview, site visit and a summary of results. The Bureau for Remediation & Redevelopment Tracking System (BRRTS) has been modified in order to track reviews and whether follow-up action is needed for a site based on the review.

WDNR completed 24 IC audits during the last 6 months. Of the 24 inspections conducted, some type of follow-up action was recommended at 5. This included: one cap that had been removed, one cap in disrepair, one site where the deed restriction was not recorded, one site that did not perform the annual cap inspection and one site where there appeared to be a new release from a drum storage area. The necessary follow-up actions will be taken during the next reporting cycle.

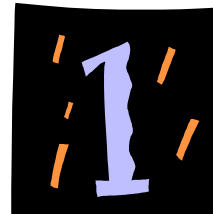
Table: Limited Audit of Institutional Controls

	1st Half Numbers	2nd Half Numbers	Year-End Numbers
# of staff hours to develop audit initiative	279	194	473
# of staff hours to complete the audits	-	301	301
# of sites inspected for compliance with institutional controls	-	24	24
# of staff hours per audit	-	12.5	-
% of sites in compliance*	-	-	83%
# of follow-up actions necessary	-	5	5

*One follow-up action was unrelated to the Institutional Controls being used at the site.

3. One Cleanup Program MOU

Before the end of 2004, WDNR expects to sign a Memorandum of Understanding (MOU) with EPA that will clarify the roles and responsibilities of the State and EPA under three major federal cleanup laws: RCRA Subtitles C and I, CERCLA (Superfund) and TSCA.



WDNR sent a final draft of the MOU to EPA on May 11 to be jointly reviewed by EPA Region 5 and EPA Headquarters. In June, WDNR responded to several questions raised by EPA on specific technical issues. The draft document contains a table that provides guidance on TSCA applicability when addressing remediation sites involving PCBs (polychlorinated biphenyls). Using the characteristics of the sites that will be covered by the MOU, the table summarizes the lead agency and cleanup process to follow to receive approval for cleanup actions. WDNR is waiting for EPA's review to be completed.

When the document is signed, it will be the first within Region 5 and only the second in the nation. The State of Pennsylvania, in Region III, became the first state to sign a Memorandum of Agreement (MOA) with EPA on April 21, 2004, under the One Cleanup Program. However, Pennsylvania's program is not authorized for the Corrective Action Program under RCRA, as is Wisconsin's cleanup program, nor does it clearly address the state's role in PCB cleanups.

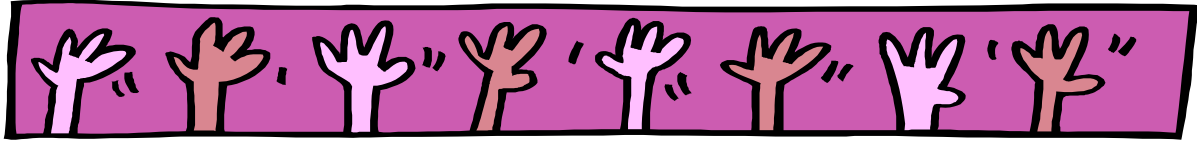
4. Other Enforcement and Oversight Activities

The WDNR and Region 5 have reached a mutual understanding that WDNR may exercise its enforcement discretion under state hazardous waste law and administrative code, concerning the acquisition of certain contaminated properties by lenders or local governments. In particular, if a local government or lender acquires a property involuntarily, as specified in s. 292.11(9)(e) or 292.21, Wis. Stats., the WDNR may elect not to take action against the lender or local government, even though they could be considered an "owner" of a hazardous waste treatment, storage or disposal facility.



Since September 1, 2003, the WDNR has issued three written clarifications exercising its enforcement discretion. The WDNR is in partnership with the City of Elkhorn to cleanup 2 former electroplating properties. The two properties are being addressed with funds from the City, WDNR and Commerce. The WDNR entered into a spill agreement with the City laying out the roles and responsibilities for the clean up of these two sites. It clarified that WDNR

would not take action against the City under state hazardous waste laws, even if they took possession of the properties. In October, the WDNR issued the City of Milwaukee a letter clarifying its liability for a property the City is interested in purchasing, and has applied for EPA grant funds.



<p>Mechanisms and Resources for Public Participation</p>	<p>Highlights:</p> <ul style="list-style-type: none"> ◆ Over 77 Redevelopment Meetings and Public Presentations
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Introduction

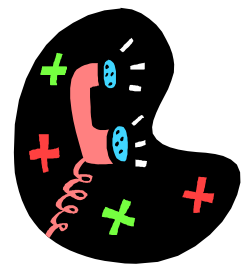
The WDNR continues to enhance its public outreach capacities by funding staff to:

- ◆ Develop outreach materials, such as newsletters, brochures, electronic mailings;
- ◆ Maintain the RR program's comprehensive web pages;
- ◆ Coordinate green team meetings with communities and other interested parties, public presentations, marketing of grants, and other types of meetings;
- ◆ Enhance WDNR's public outreach rules, ch. NR 714;
- ◆ Fund 5 part-time staff to complete outreach work in communities throughout Wisconsin;
- ◆ Coordinate the meetings and work activities of the Wisconsin Brownfields Study Group; and
- ◆ Administer WDNR's brownfields initiatives, such as support for EPA's Subtitle A Brownfields grants, associated with the aforementioned activities.

The following data and narrative provide an update to what has been accomplished in the second 6 months of implementing the s. 128(a) activities.

1. Public Outreach Activities

Brownfields regional outreach staff held more than 70 meetings and/or gave presentations to key brownfields audiences, including local government officials, community organizations, environmental consultants and attorneys, and other interested publics.



These audiences included (but were not limited to) local officials from Barron, Brown, Chippewa, Columbia, Door, Forest, Marathon, Oconto, and Polk counties; from the towns of Beaver, Berlin, Calumet, Marshfield, and Taycheedah; from the villages of Cuba City, Delevan, Fontana, Grafton, Hustler, Kendall, Rosholt, Solon Springs and Waterloo; and officials from the cities of Amery, Ashland, Eau Claire, Green Bay, Fond du Lac, Neenah, Neillsville, New Glarus, Oconto, Omro, Sparta, Spooner, Wausau, and Whitewater.



In addition to these partnerships, from March to June staff assisted with seven “Consultant Days” held in Baldwin, Eau Claire, Green Bay, La Crosse, Madison, Rhinelander and Stevens Point. The conferences were held to present new program information, updates and refreshers to more than 70 consultants working on investigation, cleanup and reuse projects in Wisconsin. Southeast Regional staff have also spent time planning a Milwaukee Consultant Day set for October 28. Attendance for previous Consultant Days held in this region of the state normally ranges between 100-120 participants.

Staff have also met with/presented to officials with the Columbia County Economic Development Corporation, Envirogen consultants, Kaukauna Utilities, WE Energies Utility Co., Eau Claire County Groundwater Committee, MSA consultants, Onyx consultants, Southwest Wisconsin Planning Commission, University of Wisconsin-Extension, and the Western Wisconsin Board of Realtors.

Other public participation/outreach activities by staff include:

- providing assistance to local officials, including those from Delevan and Richland Center, on the implementation of their EPA brownfield grants;
- issuing regional news releases for the DNR Brownfields Site Assessment Grants (SAGs) and creating a regional GIS layer for SAG site locations;
- submitting 10 success stories about brownfields, which have been used in program newsletters, the program web site and for various time-critical outreach materials delivered to key brownfields audiences; and
- held poster sessions for Earth Day and other local events; wrote articles for state-wide and local publications, newspapers and association newsletters; and served as a brownfields educational resource for various universities and technical colleges.

The Contaminated Land databases (includes BRRS and GIS Registry) web pages continue to be some of the most requested web pages in the RR Program. BRRS on the Web consistently scores in the top five most requested program web pages.

The WDNR has produced the following outreach materials: *Re News*, a quarterly hard-copy newsletter, in March and June; 20 listserv's (the Program's electronic newsletter); and 6 publications dealing with dry cleaner program deadlines, bid instructions, finding contaminated properties, regional brownfields updates and an annual report.

The WDNR has also updated several previous publications in an effort to keep information current for our customers.

2. Public participation rule revisions

Accomplishment to Date:

- The Natural Resources Board has agreed to pursue changes to Chapter NR 714, Wis. Admin. Code, Public Information and Participation (i.e. pink sheet approval)
- The RR Program's Outreach Team has outlined needed rule changes that are focused on:
 - Clarity and consistency in public notification requirements and procedures, and
 - Ensuring that residents of properties that adjoin a contaminated property are informed at the earliest possible date if contamination has spread onto their property.
- For the time period of March 1, 2003 - August 21, 2004, this effort was "on hold" due to workload/competing priorities. The rule functions effectively as it is, and enhancements will have to wait.

3. Brownfields Study Group

The Brownfields Study Group, a non-partisan advisory task force established by the State Legislature in 1998, continues to meet and identify policy, fiscal and legal improvements in Wisconsin's brownfields initiatives.

After meeting in January, 2004, the group agreed to put together – with assistance from DNR staff – subcommittees to discuss specific legislative recommendations related to brownfields policy and financial incentives. The goal of this effort was to submit new recommendations in the next state biennial budget (2005-2007).

A policy subgroup meeting was held in August, and the group discussed several initiatives, including environmental covenants, private cause of action, and voluntary party cleanups and landfills. The subgroup presented their findings during the full Study Group meeting September 30th.

A Local Government Subgroup meeting was also held September 14, and participants there discussed several key issues, including: creating a local government exemption to solid waste laws as they relate to certain landfills; changes to how counties handle tax delinquent brownfield properties; and changes to the state's Environmental Remediation TIF law and Land Recycling Loan Program.



On September 30th, the full Study Group met to hear from the subgroups and approve proposed legislative and budget initiatives to the governor and State Legislature; other issues discussed included:

- the proposed Wisconsin Brownfields Insurance Program;
- updates on EPA's One Cleanup Program and All Appropriate Inquiry (AAI);
- DNR's closure protocol study and institutional controls audit; and updates on DNR's Site Assessment Grants, Greenspace Grants and the Dept. of Commerce's Brownfields Grants.

4. EPA Grant support letters

In the second 6 months of the grant period there were no EPA grant support letters released but there were some determinations of site eligibility for work under existing federal grants in this period.

- 14 site approvals for assessment of petroleum for the City of Milwaukee's federal grant
- 3 site approvals for assessment of petroleum for City of Oshkosh's federal grant

Table: Public Outreach Accomplishments

	1st Half Numbers	2nd Half Numbers	Year-End Numbers
# of Brownfields Grants ♦ Assessments ♦ Cleanup	<ul style="list-style-type: none"> • 105 state assessment grants • Reviewed 18 state cleanup grants • 2 state cleanup grants 	<ul style="list-style-type: none"> • 50 state assessment grants • 9 state cleanup grants 	<ul style="list-style-type: none"> • 155 state assessment grants • 11 state cleanup grants
# of Redevelopment Meetings	45+	70+	115+
# of workshops, training's, etc.	Planned for Spring 2004	7	7
# of publications, newsletters, etc.	<ul style="list-style-type: none"> • 3 publications • 3 paper newsletters • 14 electronic newsletters 	<ul style="list-style-type: none"> • 6 publications • 2 paper newsletter • 20 electronic newsletters 	<ul style="list-style-type: none"> • 11 publications • 5 paper newsletters • 34 electronic newsletters
EPA Grant Support Letters	30	0	30

Progress on public participation rule revisions	Notice given on intent to develop rule	"On Hold"	—
Federal Tax Deduction Approval	1 eligibility letter	1 eligibility letter	2 eligibility letter



Mechanisms for Approval of Cleanup Plans, Verification and Certification

Highlights:

- ♦ WDNR approved 524 clean-up actions for the entire grant period
- ♦ Provided 31 assurance letters in the second 6 months of the grant period

The WDNR is utilizing its own state funds to satisfy this element of a state response program. The WDNR's work efforts resulted in the following accomplishments.

Table: State funded Activities

	1 st Half Numbers	2 nd Half Numbers	Year-End Numbers
# completed clean-ups (closure) letters	265	259	524
# Certificates of Completion	1	6	7
#Liability clarification letters/exemptions	38	31	69